

REMARKS

The specification has been amended to improve form, claims 1-14 have been amended to improve form and new claims 15-17 have been added. A new abstract has also been provided. Claims 1-17 are now pending in this application. No new matter has been introduced.

The Office Action states that the listing of references in the specification is not a proper information disclosure statement (IDS) and that the references listed on page 1, lines 13-17 and page 14, lines 1-15 should be submitted in an IDS. The portions of the specification referencing various IETF RFCs was not intended to be construed as an attempt to submit an IDS with various references. The documents were merely referenced in the specification as providing additional context for the invention. Therefore, no IDS has been submitted in response to the Examiner's comment at page 2 of the Office Action.

The drawings have been objected to as failing to comply with 37 C.F.R. § 1.84(p)(5). More particularly, the Office Action states that sequence t and sequence u in Fig. 2 have not been mentioned in the description. The description regarding Fig. 2 has hereby been amended to reference sequences t and u. No new matter has been introduced. Accordingly, withdrawal of the objection is respectfully requested.

The Office Action also states that Figure 6 should be labeled "Prior Art". The applicants respectfully disagree. Figure 6 is a diagram that illustrates the operation of the Internet telephone system of Fig. 3. Figure 3 does not constitute prior art and Figure 6, which further illustrates the operation of the system of Fig. 3, is not prior art. Accordingly, withdrawal of the objection is respectfully requested.

The abstract of the disclosure has been objected to as exceeding 150 words in length and not including a definition of the acronym "LSP". A new abstract has hereby been provided.

Accordingly, withdrawal of the objection is respectfully requested.

The disclosure has further been objected to for various informalities. More particularly, the Office Action states that Figure 5 is a diagram and Figure 6 is a flowchart and the brief description of the drawings should be amended accordingly. The brief description of the drawings in the specification has been hereby amended in accordance with the Examiner's suggestion.

Accordingly, withdrawal of the objection is respectfully requested.

Claim 10 has been rejected under 35 U.S.C. § 102(e) as being anticipated by Doshi et al. (U.S. Patent No. 6,529,499 hereinafter Doshi). The rejection is respectfully traversed.

Claim 10, as amended, recites a router connected between a first voice network and a second voice network to implement voice communication between a telephone associated with a first voice network and a telephone associated with a second voice network. The router comprises logic configured to set a path having a first bandwidth that is at least two times a bandwidth necessary for transferring a voice over Internet protocol (VoIP) packet in accordance with control by a call control apparatus, thereby establishing a plurality of connections in said path.

The Office Action states that Doshi discloses a router that sets a path having a band that is equal to or more than a double band of a band necessary for transferring a VoIP packet in accordance with control by a call control apparatus and points to router 220 and virtual provisioning server 230 for support (Office Action – page 4). Doshi may disclose that virtual provisioning server 230 determines capacity requirements over each path between IP network routers 220 (Doshi – col. 4, lines 32-35). Doshi may further disclose that the capacity requirements for routers 220 are virtually provisioned within available bandwidth capacity for delay sensitive traffic requirements

(Doshi – col. 4, lines 36-40). Doshi, however, does not disclose or suggest that router 220 includes logic to set a path having a first bandwidth that is at least two times a bandwidth necessary for transferring a VoIP packet in accordance with control by a call control apparatus, as required by amended claim 10.

For at least this reason, Doshi does not disclose or suggest each of the features of claim 10. Accordingly, withdrawal of the rejection and allowance of claim 10 are respectfully requested.

Claims 1-9 and 11-14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Doshi. The rejection is respectfully traversed.

Claim 1 recites an Internet telephone system that includes a plurality of label switch routers, a first media gateway, a second media gateway, a path control unit and a packet control unit. Claim 1, as amended, recites that the path control unit is configured to determine whether a first path having a first bandwidth larger than a bandwidth necessary for transferring a VoIP packet between said first label switch router and said second label switch router exists.

The Office Action states that Doshi discloses that virtual provisioning server 230 maintains a knowledge base of possible multiple paths between media gateways and that each path has a band that is sufficient to support multiple connections and points to col. 4, line 65 to col. 5, line 6 for support (Office Action – page 6). The Office Action further states that each path would have a band that is equal to or more than double a band of the necessary band (Office Action – page 6). Doshi at col. 4, line 65 to col. 5, line 6 discloses that virtual provisioning server 230 calculates the need for added capacity within IP network 205 to meet current and future bandwidth demands. This portion of Doshi further discloses that by centrally calculating and determining required network bandwidth, virtual provisioning server 230 determines the maximum number of voice calls that can be supported simultaneously between any pair of packet circuit gateways 215. This portion of

Doshi cannot be fairly construed to disclose or suggest that server 230, or any other device in Doshi, determines whether a first path having a first bandwidth larger than a bandwidth necessary for transferring a VoIP packet between said first label switch router and said second label switch router exists. In contrast, this portion of Doshi merely discloses that server 230 determines network bandwidth provisioning to determine a maximum number of voice calls that can be simultaneously supported. Such a disclosure is not equivalent and does not suggest the feature discussed above with respect to amended claim 1.

Claim 1, as amended, further recites that when the path control unit determines that the first path having the first bandwidth does not exist, the path control unit sets a new path having a bandwidth that is equal to or more than double the bandwidth necessary for transferring the VoIP packet. Initially, the applicants note that since Doshi does not disclose or suggest the claimed determining, Doshi cannot further disclose setting a new path based on results of the determining. In addition, the Office Action admits that Doshi does not disclose the claimed setting of new path by a path control unit, but states that it would have been obvious to set a new path having a band that is equal to or more than double a necessary band and to use this path “since these steps are implemented when label switch routers are used” (Office Action – page 6). The applicants respectfully disagree.

Doshi, as discussed above, does not disclose that server 230, or any other device, determines whether a first path having the claimed first bandwidth exists. Therefore, Doshi cannot be fairly construed to disclose or suggest that a path control unit sets a new path when it is determined that the first path does not exist. In addition, claim 1 requires that the path control unit sets a new path having a bandwidth that is equal to or more than double the bandwidth necessary for transferring a VoIP packet. The mere fact that server 230 in Doshi calculates required network bandwidth

provisioning does not mean that server 230 in Doshi sets a new path having a bandwidth that is equal to or more than double the bandwidth necessary for transferring a VoIP packet, as required by amended claim 1.

For at least these reasons, Doshi does not disclose or suggest each of the features of amended claim 1. Accordingly, withdrawal of the rejection and allowance of claim 1 are respectfully requested.

Claims 2-5 depend on claim 1 and are believe to be allowable for at least the reasons claim 1 is allowable. Accordingly, withdrawal of the rejection and allowance of claims 2-5 are respectfully requested.

Claims 6, 8 and 13, as amended, recites features similar to, but not identical, to claim 1. For reasons similar to those discussed above with respect to claim 1, withdrawal of the rejection and allowance of claims 6, 8 and 13 are respectfully requested.

Claims 7, 9 and 14 depend on claims 6, 8 and 13, respectively, and are believed to be allowable for at least the reasons their respective independent claims are allowable. Accordingly, withdrawal of the rejection and allowance of claims 7, 9 and 14 are respectfully requested.

Claims 11 and 12 are dependent on claim 10 and are believed to be allowable for at least the reasons claim 10 is allowable. Accordingly, withdrawal of the rejection and allowance of claims 11 and 12 are respectfully requested.

NEW CLAIMS

New claims 15-17 have been added. These claims include features not disclosed or suggested by the cited art. For example, claim 15 recites a device that includes a controller configured to receive a call request associated with establishing a voice connection between a first device and a

second device via a network, the voice connection using voice over Internet protocol (VoIP). The controller is also configured to determine whether a first label switching path exists in the network between a first router and second router, the first router and second routers being involved in routing VoIP packets between the first device and second device. The controller is further configured to request, when the first label switching path does not exist, that the first router establish a second label switching path to the second router, the second label switching path having a bandwidth of at least two times a bandwidth needed for transferring a VoIP packet between the first and second devices. The cited art of record does not disclose or suggest these features. Accordingly, allowance of claim 15 is respectfully requested.

Claims 16 and 17 are dependent on claim 15 and are believed to be allowable for at least the reasons claim 15 is allowable. In addition, these claims recite additional features not disclosed or suggested by the cited art.

For example, claim 16 recites that the controller is further configured to manage the use of labels associated with label switching in the network such that transfer of a VoIP packet from the first device to the second device through at least one other device uses a single label. The cited art does not disclose or suggest these features. Claim 17 recites that each of the first and second devices comprises an edge router and the other device comprises a core router. The cited art of record does not disclose or suggest these features. Accordingly, allowance of claims 16 and 17 is respectfully requested.

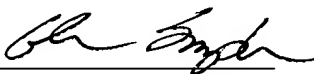
CONCLUSION

In view of the foregoing amendments and remarks, the applicants respectfully request withdrawal of the outstanding rejections and the timely allowance of this application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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